

EXHIBIT K



Feb 6 2009
6:17PM

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: Methyl Tertiary Butyl Ether ("MtBE")
Products Liability Litigation

MDL No. 1358
Master File C.A. No.
1:00-1898 (SAS)

This document relates to the following cases:

City of New York v. Amerada Hess Corp., et al.
04 Civ. 3417

EXPERT SITE SPECIFIC REPORT OF MARCEL MOREAU

Marcel Moreau Associates
73 Bell Street
Portland, ME 04103

Marcel Moreau

Signature

February 6, 2009

Date

A listing of my publications and the cases in which I have provided deposition and trial testimony is contained in my curriculum vitae which is attached to this report as Appendix A.

I am being compensated for my time at the rate of \$255 per hour. No portion of my compensation is contingent upon the outcome of this litigation.

ASSIGNMENT

At the request of the Plaintiff, Marcel Moreau Associates (MMA) conducted a file review of documents associated with certain facilities where underground storage systems containing petroleum products were installed. The purpose of the file review was to determine whether the origin, magnitude, and duration of releases of petroleum from these facilities could be identified.

METHODOLOGY

MMA reviewed documents pertaining to certain facilities (Priority Sites) containing underground petroleum storage systems identified by others to be likely sources of MtBE contamination in the New York City water supply wells located in Queens County, New York. Files pertaining to other underground petroleum facilities located in Queens County were also reviewed. The data files came from the following sources:

- (1) site remediation files supplied by the defendants;
- (2) information obtained through Freedom of Information Act (FOIA) requests to the New York State Department of Conservation (NYSDEC); and
- (3) a contaminant inventory report purchased from Toxics Targeting, Inc. in March 2008 and updated in October 2008.

MMA first organized the information available from these sources by street address. The Priority Sites included 22 sites identified as likely sources of releases that may have